

10/587330

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IAP5 Rec'd PCT/PTO 27 JUL 2006

Applicants: Jones, et al.

Serial No. Not Yet Assigned

Filed: July 27, 2006

For: N-BENZYL-3,4-DIHYDROXYPYRIDINE-2-CARBOXAMIDE AND  
N-BENZYL-2,3-DIHYDROXYPYRIDINE-4-CARBOXAMIDE  
COMPOUNDS USEFUL AS HIV INTEGRASE INHIBITORS

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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DATE OF DEPOSIT July 27, 2006  
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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DATE July 27, 2006

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## INFORMATION DISCLOSURE STATEMENT

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

*Kenneth R. Walton*

By: Kenneth R. Walton

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 32,951

MERCK & CO., INC.

Patent Dept., RY60-30

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Date: July 27, 2006

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Application Number	Not Yet Assigned
Filing Date	July 27, 2006
First Named Inventor	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned

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Attorney Docket Number ITR0069YP

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Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	6	WO	01/00578	A1	Tularik, Inc.	01/04/2001
	7	EP	1422218	A1	Shionogi & Co., Ltd.	05/26/2004
	8	WO	02/30426	A1	Merck & Co., Inc.	04/18/2002
	9	WO	02/55079	A2	Merck & Co., Inc.	07/18/2002
	10	WO	02/036734	A2	Merck & Co., Inc.	05/10/2002
	11	WO	2004/062613	A2	Bristol-Myers Squibb	07/29/2004
	12	WO	03/35076	A1	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti S.P.A.	05/01/2003
	13	WO	03/35077	A1	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti S.P.A.	05/01/2003
	14	WO	03/062204	A1	Merck & Co., Inc.	07/31/2003
	15	WO	04/004657	A2	Bristol-Myers Squibb Co.	01/15/2004

Examiner  
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Date Considered

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### STATEMENT BY APPLICANT

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Attorney Docket Number

ITR0069YP

Examiner  
Initials\*Cite  
No.

**Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.**

16

Ratner, L., et al., "Complete Nucleotide Sequence of the AIDS Virus, HTLV-III", Nature, Vol. 313, pp. 277-284, (1985)

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Toh, H., et al., "Close Structural Resemblance Between Putative Polymerase of a Drosophila Transposable Genetic Element 17.6 and Pol Gene Product of Moloney Murine Leukemia Virus", EMBO Journal, Vol. 4, No. 5, pp. 1267-1272, (1985)

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Power, M.D., et al., "Nucleotide Sequence of SRV-1, a Type D Simian Acquired Immune Deficiency Syndrome Retrovirus", *Science*, Vol. 231, pp. 1567-1572, (1986)

19

Pearl, L.H., et al., "A Structural Model for the Retroviral Proteases", *Nature*, Vol. 329, pp. 351-354, (1987)

20

Derwent Abstract No. 2003-300600/29, Abstract of WO 03/016275, "Compositions Containing New and Known Heterocyclic Ketone Compounds Useful as Antiviral Agents Especially for Treating HIV Infections (JPN)" (2001)

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